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KILPATRICK STOCKTON LLP			IRSHADULLAH, M	
607 14TH STREET, N.W.			ART UNIT	
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3623

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/598,239

Applicant(s)

GEDDES ET AL.

Examiner

M. Irshadullah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This communication is in response to the amendments filed January 19, 2005.

#### ***Summary Of Instant Office Action***

2. Applicant's arguments regarding claims 1-26 rejection under 35 U.S.C. 103, Office Action mailed July 20, 2004 have been fully considered and are responded below.
3. In view of issuance of the Application No. 09/598,750 into Patent No. 6,892,192 B1 with amended claims, provisionally double patenting rejection of claims 1-11 and 13-26 under 35 U.S.C. 101 is withdrawn.
4. Regarding non-statutory rejection of claims 17-22 under 35 U.S.C. 101, Applicant is referred to the following case laws:

For a claim to be statutory, it must be in the technological arts. In re Musgrave, 167 USPQ 280 (CCPA 1970) and In re Johnston, 183 USPQ 172 (CCPA 1974).

The invention in the body of the claim must recite technology. If the invention in the body of the claim is not tied to the technological art, environment, or machine, the claim is not statutory. Ex parte Bowman, 61 USPQ2d 1665, 1671 (BD. Pat. App. & Inter. 2001) (Unpublished). Also see MPEP 2106 IV 2(b).

In State Street Bank & Trust Co. v. Signature Financial Group Inc., the courts held that a machine (computer) programmed to transform data which represents

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discrete dollar amounts into financial share price through a series of mathematical calculations does, in fact, constitute the practical application of a mathematical algorithm, formula, or calculation because it produces "a useful, concrete and tangible result", i.e., the final share price upon which investors and their brokers can make investment decisions for tax advantage purposes. See *State Street*, 149 F.3d at 1374-75, 47 USPQ 2d at 1602.

Applicant's claim 17 fails to recite, apply or involve, use or advance the technological arts and produce a useful, concrete and tangible result. Same reasoning applies to claims 18-22.

The rejection of claims 17-22 under 35 U.S.C. 101 is, therefore, maintained.

### ***Double Patenting***

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

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Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claims 1-26 are rejected under the judicially created doctrine of double patenting over claims 1-10 of U. S. Patent No. 6,892,192 B1 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows:

i) Claim 1 elements a) through f) in the patent are verbatim same as the claim 1 elements a) through e) and claim 9 in the application.

ii) Claim 2 elements a) through f) in the patent are verbatim same as the claim 1 elements a) through e) and claim 10 in the application.

iii) Claim 3 elements a) through f) in the patent are verbatim same as the claim 1 elements a) through e) and claim 11 in the application.

iv) Claim 4 elements a) through d) and e) in the patent are verbatim same as the claim 1 elements a) through d) and claim 18 in the application.

The feature in claim element 4f) in the patent is not in the application.

However, the feature is old and well known in the AI art.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the feature in the application, thereby providing a system enabling the users to divide the goals of a business and performing conjunctive planning.

v) The feature in claim 5 in the patent is not in the application.

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However, the feature is old and well known in the AI art.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the feature in the application, thereby providing a system enabling the users to determine contention in the planning and informing the requisite entities.

vi) Claim 6 elements a) through f) in the patent are verbatim same as the claim 1 elements a) through e) and claim 13 in the application.

vii) Claims 7 and 8 in the patent are same as claims 14 and 15 in the application.

vii) Claim 9 elements a) through f) in the patent are verbatim same as the claim 1 elements a) through e) and claim 16 in the application.

viii) Claim 10 elements a) through c) in the patent are same as the claim 17 elements a) through b) and claim 20 in the application.

ix) Features in claims 2-8, 12, 21-22 and 24-26 in the application are not in the patent.

However, the features are old and well known in the AI art.

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the features in the application, thereby providing a system enabling the users to employ the system for controlling the business functions immediately and concurrently.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 9, 10, 12-19, 23, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amado (US Patent 5,701,400) in view of Friedman et al (US Patent 5,995,959).

Amado teaches:

Claim 1. A supply chain management system comprising:

a) a knowledge base including expert knowledge about one or more business process domains (Col. 2, lines 52-65 recited with col. 21, lines 1-23, wherein cited expert systems are made up of cited human expertise or expert knowledge and rule base or knowledge base indicating that knowledge bases and expert knowledge are integral to each other or "knowledge bases and expert knowledge are inclusive", and reference system's use for "auditing or evaluating or determining companies' operations for each business unit's predefined goals, col. 21, lines 1-3", pointing to the expert system's "comprising or including plurality or one or more business units performing goals or business performance or process units or domains");

c) a management system that collects and distributes data regarding one or more business processes and determines one or more goals (Col. 40, line 65 through col. 41, line 3, wherein reference's "menu structure handling importing and exporting of data" indicating reference's teaching "a system for handling or managing importing or collecting and exporting or distributing data or information" and "the data or information" relating to or regarding above discussed "goals or business processes" performed by

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the units. Moreover, as discussed above reference's use of "auditing operations of business unit's predefined goals" pointing to reference's teaching "auditing or evaluating or determining a number or one or more goals" performed by the companies' business units); and

d) a graphical user interface system that displays information regarding the one or more business processes (Col. 34, lines 38-45, wherein cited creating a powerful graphical user interface indicating availability of claimed "graphical user interface system" and a user would use the same for claimed purpose);

e) wherein the inference engine uses the partial order planner to determine a plan for achieving at least one of the one or more goals (See discussion about inference engine, determining goals in 1a) and 1c) above and discussion about partial order planner in 1b) below, and user would use said tools for claimed purpose);

In the following element:

b) an inference engine coupled to the knowledge base, the inference engine including a partial order planner.

Amado teaches:

inference engine coupled to knowledge base (Col. 2, lines 52-65, wherein inference engine being a building tool of expert knowledge and, as discussed above, expert knowledge is integral to knowledge base, said inference engine is integral or coupled to knowledge base).

Amado does not explicitly teach:



a partial order planner.

However, Friedman et al teach the same (Col. 16, lines 17-25, wherein cited "method is a partial order planner" indicating reference's teaching "a partial order planner". While Amado relating to AI, decision support application and expert systems for auditing a company's business unit goals, Friedman et al teach a method or partial order planner for solving users' queries relating to a business object, such as price of domestic and foreign cars. The references are analogous.

It would have been obvious to one of ordinary skill in the relevant arts at the time of applicant's invention to incorporate Friedman et al's features into Amado's invention, thereby entailing a system enabling a user to handle partial goal satisfaction.

Claim 9. The system of claim 1, wherein the knowledge base includes one or more scripts, each of the one or more scripts comprising a sequence of fully or partially specified actions (Amado: Col. 12, line 60 through col. 13, line 4, wherein "using script language" indicating reference's teaching "scripting or scripts" and "script language letting developers define behavior of application interface and link screen elements to application object" indicating the scripts have "action instructions including sequence of fully or partially defined or specified actions", and the script language {hence the scripts} is the part of {included in} above discussed knowledge base).

Claim 10. The system of claim 1, wherein the inference engine includes an intent interpreter (Amado: Col. 2, lines 52-65, wherein inference engine providing

mechanism for interpreting rules indicating reference's teaching a mechanism or function for "interpreting rules or intent").

Claim 12. The system of claim 1, wherein the knowledge base includes tables of data, each table storing zero or more data records (Friedman et al: Fig. 2 {28-30}, col. 8, lines 48-50, wherein information sources 28-30 being knowledge bases are indeed databases of knowledge storing data in some format including tabular format and tables would comprise no {zero} data or plurality of entries or records and see motivation in applicant's claim 1b) above).

Claim 13. The system of claim 12, further comprising a data security mechanism that protects data stored in the knowledge base (Inherent, since it is an essential requisite in database environment).

Claim 14. The system of claim 13, wherein the data security mechanism maintains an access control list for one or more tables in the knowledge base (Inherent, since not all users have same access privilege, for instance examiner and Supervisor and Director have access privilege in accordance their status or level).

Claim 15. The system of claim 14, wherein the data security mechanism maintains an access control list for one or more data records in the knowledge base

(Inherent, keeping or maintaining the matrices or list of access privilege or control is the basic way).

Claim 16. The system of claim 1, wherein the partial order planner is a least commitment planner (Friedman et al: Col. 16, lines 22-25, wherein recitation of "method is partial order planner" indicating reference's teaching "a partial order planner" and the method or partial order planner's "sound, complete, free of threats, requiring no consistency check" inferring its "commitment encompassing lowest or least commitment" and see motivation in applicant's claim 1b) above. Moreover, a partial order planner is a least commitment planner, in support of it please see enclosed Introduction to Least Commitment Planning, by Daniel Weld, 1994: page 12, lines 16-26).

Claim 17. A method for conducting supply chain management, the method comprising:

a) determining a goal for a supply chain participant (Amado: Col. 21, lines 1-23, wherein auditing company's operation for finding business units goals indicating evaluating or determining business units goals and company encompassing supply chain, business units encompassing partners or participants thereof); and

b) using a knowledge base to create a plan for meeting the determined goal (See discussion of knowledge base in applicant's claim 1a) and discussion about determining goals in 1e) above).

Claim 18. The method of claim 17, wherein the act of determining a goal for a supply chain participant and creating a plan for meeting the goal is performed using a partial order planner (Friedman et al: Col. 16, lines 17-26, wherein cited partial order planner is employed for claimed purpose as discussed above and see motivation in applicant's claim 1b) above).

Claim 19. The method of claim 18, wherein the partial order planner is a least commitment planner (See discussion of applicant's claim 16 above).

Claim 23. A supply chain management system comprising:  
a) a plurality of intelligent agents (Amado: Col. 1, lines 30-41, wherein reference's use of intelligent databases, intelligent user interfaces and automated discovering tools, such as database miners indicating availability of "programs or functions performing automated actions or procedures" termed as "intelligent agents"), each of the plurality of intelligent agents including:

b) a knowledge base including expert knowledge about one or more business process domains (See discussion of applicant's claim 1a) above);

c) an inference engine coupled to the knowledge base, the inference engine including a partial order planner (See discussion of applicant's claim 1b) above);

d) a data management system that collects and distributes data regarding one or more business processes (See discussion of applicant's claim 1c) above); and

e) a graphical user interface system that displays information regarding the one or more business processes (See discussion of applicant's claim 1e) above).

Claim 25. The supply chain management system of claim 24, wherein each agent of the plurality of intelligent agents determines the intentions of one or more users and wherein the data management system of a first agent of the plurality of intelligent agents shares data with a second agent of the plurality of intelligent agents representing the determined intentions of the one or more users to facilitate collaboration (See discussion of applicant's claims 23a) and 10 above and a user would employ cited intelligent agents for finding or determining intents using intent interpreter of the claim 10).

Claim 26. The supply chain management system of claim 25, wherein the system uses the shared data to automatically detect conflicts between the one or more users (Friedman et al: Col. 14, lines 22-30, wherein "executing the same operator twice and its not returning new tuples, lines 26-29" inferring availability of "a function which checks for or detects duplication or conflict", and a user would employ the function for claimed purpose, and see motivation in claim 1b) above).

8. Claims 2-4, 6-8, 21-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amado (US Patent 5,701,400) in view of Banks et al's Pilot's Associate, 1991.

In the following claims:

{Claim 2. The system of claim 1, wherein the knowledge base includes one or more plan-goal graphs.

Claim 3. The system of claim 1, wherein the knowledge base includes one or more concept graphs.}

Amado teaches:

knowledge base (as discussed above).

Amado does not explicitly teach:

“plan-goal graph” and “concept graph”.

However, Banks et al teach the same (Fig. 1, page 19, col. 3, lines 48-50 and page 23, col. 1, lines 25-28). While Amado relating to AI, decision support application and expert systems for auditing a company's business unit goals, Banks et al's knowledge based method relating to pilots, yet its application to various other endeavors such as commerce including supply chain is within the scope as indicated by “The technology of Pilot's Associate can be applied across a broad spectrum of applications. In particular real time, interactive process control applications are likely candidates, page 29, col. 1, lines 11-15”. Both are analogous.

It would have been obvious to one of ordinary skill in the business art at the time of applicant's invention to incorporate Banks et al's graphs into Amado's invention, thereby achieving a real time interactive process control applications which is a dire desire and need of business endeavors.

Claim 4. The system of claim 3, wherein the inference engine creates one or more plan instances (Amado: Col. 2, lines 52-65, wherein a user would employ or use cited "inference engine to generate or create plans or one or more instances thereof").

Claim 6. The system of claim 4, wherein the inference engine manages life cycle states of the one or more plan instances according to a commitment level of the partial order planner (Amado: Col. 2, line 52 through col. 3, line 3, wherein cited "inference engine providing mechanism for interpreting and firing expert rules" indicating reference's teaching "inference engine" and its "providing mechanism used for interpreting and firing expert rules" indicating reference's teaching "mechanism or process for handling or managing interpretation and firing expert rules" a user would employ cited "inference engine's handling or managing mechanism or process" for handling or managing above discussed plans or one or more instances thereof including series of stages or life cycle the plans or instances thereof would undergo. The expert systems {including expert rules} handle or manage life cycle as indicated by: "Expert Systems for Life Cycle Management in EPA's Office of Solid Waste and Emergency Response, col. 2, line 67 through col. 3, line 2. And the handling or management of the plan's life cycle or series of stages would correspond or according to assigned or commitment magnitude or level of above discussed partial order planner. Moreover, in real life plans undergo series of stages or life cycle, however short or large, from their inception to completion and also the plan's having assigned or commitment magnitude or level is a desired feature by the businesses.

In the following claim:

Claim 7. The system of claim 6, wherein the inference engine manages monitoring of the situation using the one or more concept graphs according to the life cycle states of the one or more plan instances.

Amado teaches:

inference engine, life cycle states (as discussed above) and monitoring (Col. 3, lines 13-18, wherein expert system's handling monitoring" indicating reference's teaching "monitoring" and the inference engine being part of expert system, would include cited monitoring function.

Amado does not explicitly teach:

concept graphs

However, Banks et al teach (Page 23, col. 1, lines 25-28, wherein cited "graph concept" pointing to the graph, Fig. 1, which depicting "conceptual representation or structure of the plan" as indicated by: "Fig. 1 showing "a graph representation and how it provides subsystem integration, col. 20, col. 1, lines 2-4" and "the graph structure representing dictionary containing description each node requisite for uniform interpretation and proper implementation of the subsystem, page 20, col. 1, lines 10-14"). Although, Banks et al's method relates to pilots, yet its application to various other endeavors such as commerce including supply chain is within the scope as indicated by "The technology of Pilot's Associate can be applied across a broad spectrum of applications. In particular real time, interactive process control applications are likely candidates-page 29, col. 1,



lines 11-15". While Amado relating to AI, decision support application and expert systems for auditing a company's business unit goals, Banks et al teach knowledge based system application for enabling users to make decisions. Both are analogous. It would have been obvious to one of ordinary skill in the business art at the time of applicant's invention to incorporate Banks et al's concept graphs into Friedman et al's invention, thereby achieving a real time interactive process control applications which is a dire desire and need of business endeavors.

Claim 8. The system of claim 7, wherein the inference engine determines what further processing is needed by the partial order planner based on the monitoring of the situation (Amado: Col. 2, lines 52-65, wherein a user would use cited "inference engine" for claimed purpose).

Claim 21. The method of claim 17, wherein the knowledge base includes one or more plan-goal graphs (See discussion of claim 2 above).

Claim 22. The method of claim 17, wherein the knowledge base includes one or more concept graphs (See discussion of claim 3 above).

Claim 24. The supply chain management system of claim 23, wherein the knowledge base includes one or more concept graphs (See discussion of applicant's claims 1a) and 3 above).

9. Claims 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amado (US Patent 5,701,400) in view of Friedman et al (US Patent 5,701,400) and further in view of Shasha (US Patent 5,809,212).

In the following claims:

{Claim 11. The system of claim 1, wherein the inference engine includes a non-monotonic truth maintenance system.

Claim 20. The method of claim 17, wherein the act of determining a goal for a supply chain participant is performed using a non-monotonic truth maintenance system}.

Amado teaches:

the inference engine, claim 11 (As discussed above), and determining a goal, claim 20 (As discussed above).

Amado does not teach:

non-monotonic truth maintenance system.

However, Shasha teaches the same (Col. 3, lines 38-42). While Amado relating to AI, decision support application and expert systems for auditing a company's business unit goals, Friedman et al teach a method employing partial order planner for solving users' queries relating to a business object, Shasha teaches non-monotonic truth maintenance system. All use AI in the business and are analogous.

It would have been obvious to one of ordinary skill in the relevant art at the time of applicant's invention to incorporate Shasha's feature into the combination of Friedman et al and Amado's invention, thereby providing a system for an improved representation

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of networks of facts, belief and expectations so that a user would acquire qualified statements of knowledge from the system as desired.

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amado (US Patent 5,701,400) in view of Friedman et al (US Patent 5,995,959) and further in view of Banks et al's Pilot's Associate and further in view of Shasha (US Patent 5,809,212).

In the following claim:

Claim 5. The system of claim 3, wherein at least one of the one or more concept graphs includes a non-monotonic model of economic benefit provided by the plan instances created by the inference engine.

Amado teaches:

plan instances created by the inference engine (As discussed above); and

Banks et al teach:

concept graphs (As discussed above).

Both Amado and Banks et al do not teach:

non-monotonic model.

However, Shasha teaches the same (Col. 3, lines 38-42, cited non-monotonic truth maintenance system inferring provisioning of non-monotonic modeling or model). While Amado relating to AI, decision support application and expert systems for auditing a company's business unit goals, Banks et al's Pilot Associate system or method is applicable in broad spectrum of applications, page 23, col. 1, lines 11-15, and Shasha

teaches non-monotonic truth maintenance system. All teach using AI in business and are analogous.

It would have been obvious to one of ordinary skill in the relevant art at the time of applicant's invention to incorporate Shasha's feature into the combination of Banks et al and Amado's invention, thereby providing a system for an interactive process entailing improved representation of networks of facts, belief and expectations so that a user would acquire qualified statements of knowledge from the system as desired in real time.

### ***Response to Arguments***

11. Applicant's arguments filed April 05, 2004 have been fully considered and are responded below.

The Applicant argues that:

a) Amado's "importing and exporting data" is not same as "collecting and distribution of data" in claim 1c).

In this regard, Applicant is referred to Microsoft's Computer Dictionary, Third Edition, page 246, wherein it defines "import" as "To bring or receive or collect information or data from one system or program into another" and on page 185, it defines "Export" as "To move or transmit or communicate or distribute information or data from one system or program to another".

In the light of the definitions, Amado's, col. 40, line 67 through col. 41, line 3, providing a file menu comprising selecting options allowing "importing data or

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information from other applications {or other devices or systems, machines}" indicating "importing or receiving or collecting information or data" from other applications, devices, systems or machines. Similarly, cited "exporting back to them" indicating "moving or transmitting or communicating or distributing information or data" to the applications, devices, system or machines it imported the data or information from.

b) Amado's "goals are predefined".

In this respect, Applicant would have appreciably realized that the claim recites "determining one or more goals" and the citation "auditing companies' operations for each business unit's predefined goals, col. 21, lines 1-3" indicating reference's teaching "auditing or evaluating or finding or determining" claimed "a number or one or more goals". it is irrelevant whether they are pre-defined or not.

c) Amado does not teach: "script comprising a sequence of fully or partially specified actions"

Relative to this, Applicant is directed to Amado's col. 12, line 60 through col. 13, line 4, wherein "using script language" indicating reference's teaching "a program for scripting" and a program in scripting language is termed as "script(s)", as indicated by: "a program in Perl is known as a script, see enclosed page 360, Microsoft Dictionary, Third Edition, and "Script language letting developers define behavior of application interface and link screen elements to application object" indicating the scripts have "action instructions including sequence of fully or partially defined or specified actions".

d) Amado does not teach: "Intent interpreter" as described in Applicant's specification.

In response to this, Applicant is reminded of the following Case Law:

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "Intent interpreter as described in Applicant's specification") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Moreover, Applicant is referred to Amado's col. 2, lines 52-65, wherein "inference engine providing mechanism for interpreting rules" indicating reference's teaching a mechanism or function for "interpreting rules or intent", since the rules relate or regard to some purpose or intent, as indicated by "The invention applies tests or rules to generate interpretations, col. 24, lines 24-27, wherein cited "rules" relating to "purpose or intent" of "generating interpretations".

e) Amado and Friedman do not teach: "Partial order planner" and "least commitment planner" as described in Applicant's specification".

In response to this, Applicant is reminded of the above mentioned Case Law.

Moreover, the two planners in question are not claimed individually. What is claimed is: "the partial order is a least commitment planner". For this, Applicant is directed to Friedman et al's col. 16, lines 22-25, wherein recitation of "method is partial order planner" indicating reference's teaching "a partial order planner" and the method or partial order planner's "sound, complete, free of threats, requiring no consistency checking" inferring its "commitment encompassing lowest or least commitment" and see

motivation in applicant's claim 1b) above. Moreover, a partial order planner is a least commitment planner, in support of it please see enclosed Introduction to Least Commitment Planning, by Daniel Weld, 1994: page 12, lines 16-26.

f) Amado and Friedman et al do not teach: "a plurality of intelligent agents". In response to this, Applicant is directed to Amado's col. 1, lines 30-41, wherein reference's use of intelligent databases, intelligent user interfaces and automated discovering tools, such as database miners indicating availability of "programs or functions performing automated actions or procedures" termed as "intelligent agents". Please see pages 19 and 256, Microsoft's Computer Dictionary, Third Edition.

g) Amado and Friedman et al do not teach: "automatically detecting conflicts between one or more users". In respect to this Applicant is referred to Friedman et al's col. 14, lines 22-30, wherein "executing the same operator twice and its not returning new tuples, lines 26-29" inferring availability of "a function which checks for or detects duplication or conflict".

In the light of above discussed facts, is respectfully stated that Applicant's arguments have been considered, deemed unpersuasive and prior rejection is maintained.

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Irshadullah whose telephone number is 571-272-26731. The examiner can normally be reached Monday-Friday from 10:00 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
M. Irshadullah  
May 25, 2005

  
TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
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